IN THE COURT OF THE DISTRICT MUNSIF OF UDHAGAMANDALAM, THE NILGIRIS

Present: **Thiru. L.PRAKASH, B.Sc., B.L.,**
DISTRICT MUNSIF, UDHAGAMANDALAM.

Wednesday, the 15th day of July 2026

I.A. No. 02 of 2026
in
O.S. No. 83 of 2023
(C.N.R. No. TNNS030 - 00108 - 2023)

S. Radhakrishnan ... Petitioner/Plaintiff

/VS/

1. Jegatha Raju
2. Vasanthakumari … Respondents/Defendants

This petition came on 16.06.2026 for final hearing before me in the presence of Mr. P. Rangaswamy, learned Counsel for the Petitioner/Plaintiff and of Mr. K. Chandramohan, learned Counsel appearing for the Respondents/Defendants upon hearing both sides, and upon considering case records carefully, this court passes the following :

ORDER

1. This petition is filed under Order VII Rule 14(3) of the Code of Civil Procedure, praying to grant leave to the petitioner/plaintiff to produce the documents and receive the same as evidence in the above suit.

Gist of petition and affidavit:

2. The case of the petitioner is that the suit is posted for trial and that he intends to mark the latest Property Tax Receipt and Electricity Bill relating to the suit property to establish his possession and enjoyment. According to the petitioner, though the property tax has been paid continuously and the assessment stands in his name, the said documents could not be produced earlier due to circumstances beyond his control. Therefore, he seeks leave of this Court to produce the said documents.

Gist of Counter statement:

3. The respondents have filed a counter opposing the petition. It is their contention that the description of the documents sought to be produced is vague and that the petitioner has not assigned any sufficient reason for the belated production of the documents. It is further contended that the respondents have already filed I.A. No.01 of 2026 under Section 10 of the Code of Civil Procedure before the learned District Judge, Nilgiris, seeking stay of further proceedings in the present suit and, therefore, the present petition is liable to be dismissed with costs.

Point for Consideration:

4. Heard the learned counsel appearing on both sides and perused the materials available on record. The point that arises for consideration is ***whether the petitioner has made out sufficient grounds for granting leave to produce the additional documents under Order VII Rule 14(3) of the Code of Civil Procedure?***

Discussion:

5. Order VII Rule 14(3) CPC empowers the Court to grant leave to a plaintiff to produce documents at a later stage if sufficient cause is shown. It is settled law that, the provision is intended to advance the cause of justice and not to defeat it on technical grounds. The Court has to adopt a liberal approach, particularly when the documents sought to be produced are relevant for deciding the real controversy between the parties, subject to safeguarding the interest of the opposite party.

6. The Hon'ble Supreme Court in ***Sugandhi (Dead) by LRs. v. P. Rajkumar****, (2020) 10 SCC 706*, held that ***"It is often said that procedure is the handmaid of justice. Procedural and technical hurdles shall not be allowed to come in the way of the court while doing substantial justice. If the procedural violation does not seriously cause prejudice to the adversary party, courts must lean towards doing substantial justice rather than relying upon procedural and technical violation. We should not forget the fact that litigation is nothing but a journey towards truth which is the foundation of justice and the court is required to take appropriate steps to thrash out the underlying truth in every dispute. Therefore, the court should take a lenient view when an application is made for production of the documents under sub-rule (3)."***.

7. In the present case, the documents sought to be produced are the latest Property Tax Receipt and Electricity Bill relating to the suit property. These documents are relevant for adjudication of the issues involved in the suit. Their production would enable the Court to effectively decide the dispute between the parties. The respondents will also have ample opportunity to object to the admissibility, relevancy and evidentiary value of the documents at the time of marking and appreciation of evidence. Therefore, no irreparable prejudice would be caused to the respondents merely by permitting the production of the documents.

8. At the same time, the petitioner has not offered any convincing explanation for not producing the documents at the earliest opportunity. The belated production has resulted in inconvenience to the respondents and has caused delay in the progress of the trial. Such delay deserves to be compensated by awarding costs.

9. The pendency of I.A. No.01 of 2026 before the learned District Judge under Section 10 CPC is not, by itself, a ground to reject the present application.

Unless there is an order of stay passed by the competent Court, this Court is bound to proceed with the suit in accordance with law.

10. Considering the nature of the documents sought to be produced, their relevance for proper adjudication of the dispute, and balancing the inconvenience caused to the respondents, this Court is of the view that the petitioner deserves to be granted leave, subject to payment of costs.

Result:

11. *In the result, this petition is **allowed** on condition that the petitioner/plaintiff shall pay a cost of **Rs.500/- (Rupees Five Hundred only)** to the respondents on or before **23.07.2026**.*

12. *On such payment, the petitioner is permitted to produce the petition-mentioned documents and seek to mark the same in accordance with law, subject to proof, relevancy and admissibility.*

13. *In the event of failure to pay the cost within the time stipulated above, this petition shall stand **dismissed automatically without further reference to this Court**.*

14. For compliance call on 23.07.2026.

This order dictated by me to the steno typist, transcribed by her, corrected and pronounced by me in the open court on this 15th day of July 2026.

LOGANATHAN PRAKASH

Digitally signed by LOGANATHAN PRAKASH
Date: 2026.07.15 19:59:55 +0530

District Munsif,
Udhagamandalam

Draft/ Fair Order:

I.A. No. 02 of 2026
in
O.S. No. 83/2023

Dated: **15.07.2026**

District Munsif,
Udhagamandalam